

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 George Lee Marshall Jr.,

5 Plaintiff,

6 v.

7 RN/BC,

8 Defendant.
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Case No. 2:22-cv-01551-RFB-BNW

REPORT AND RECOMMENDATION

11 Plaintiff initiated this case on September 15, 2022. ECF No. 1. Plaintiff's first filing did
12 not include a filing fee or an application to proceed *in forma pauperis* ("IFP application"). *Id.*
13 Accordingly, the Court ordered Plaintiff to file an IFP application or pay the filing fee by October
14 7, 2022. ECF No. 3. The Court advised Plaintiff that a failure to comply with its order would
15 result in a recommendation that this case be dismissed. *Id.* Since this last order, Plaintiff has not
16 taken any action in this case. Accordingly, it appears Plaintiff abandoned his case.

17 **IT IS THEREFORE RECOMMENDED** that Plaintiff's case be dismissed without
18 prejudice and this case closed.

19 **NOTICE**

20 This report and recommendation is submitted to the United States district judge assigned
21 to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation
22 may file a written objection supported by points and authorities within 14 days of being served
23 with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may
24 waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir.
25 1991).

26 DATED: December 7, 2022

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28 Brenda Weksler
United States Magistrate Judge